Ordinances

OF THE

CITY OF TORONTO.

1834.

WM. L. MACKENZIE, ESQUIRE, MAYOR.

PRINTED BY BANCROFT AND BAXTER.

AN ACT

TO REGULATE THE PUBLIC MARKETS.

[Passed 27th May, 1834.]

BE it enacted, by the Mayor, Aldermen and Commonalty of the City of Toronto, in Common Council assembled—

SECTION I.

That the public Market Houses or Market Places now, or hereafter to be established within the said city, shall be the market houses or market places thereof; and the butchers thereof, and other persons using the same, shall be subject to the regulations following, *to wit:*

1. Any person exercising the trade of a butcher within the said city shall be previously licensed by the Mayor; and for every offence for selling without such licence, he shall forfeit three pounds; and every person selling any meat, less than by the quarter, shall be deemed a butcher within the meaning of this law, and subject to the regulations, pains and penalties thereof.

2. Market houses shall be the only places for selling meat, (excepting by the quarter or greater quantity:) and from the first day of May to the first day of November, in each year, including both days, no meat shall be ex-

posed for sale in market, after two o'[illegible] the fternoon, except on Saturdays, on which days the market shall be kept open 'till 9 o'clock at night: provided however, that it shall be lawful for butchers to open their stalls and supply with meat any steam boats or other shipping coming into harbour after market hours; and any person offending against any part of this regulation shall, for each offence, pay a penalty of five shillings.

3. Every butcher shall furnish his stall with a plentiful supply of good meats; and in case of neglect for six days successively, (without a permit from the Mayor for that purpose,) he shall incur and pay a fine of ten shillings; and on a second offence of the like nature, after conviction, he shall forfeit his licence. And no butcher shall cut or expose any meat in market but at his own stall or standing, upon pain of forfeiting five shillings, for the first offence; and on conviction of the second offence, he shall forfeit his licence.

4. Any butcher, or other person, selling, or exposing for sale, in market, or in any other part of this city, any unwholesome, stale, emaciated, blown, stuffed, tainted, putrid, or measly pork, meat, poultry, or other provision, shall forfeit ten shillings for each offence; and the meat, pork, poultry, and provisions so exposed, shall, without delay, upon view of the Mayor, or any Alderman, or upon complaint, under oath, before them, or any of them be seized and destroyed by the Clerk of the Market.

5. Any person who shall by himself, his agents, or servant, be guilty of forestalling, regrating, or engrossing any poultry, eggs, butter cheese, or fresh fish, in this city, shall forfeit for every offence the sum of ten shillings; and if any licenced butcher or his servant, or agent, or any person in his behalf, shall directly or indirectly purchase or cause to be purchased, from any farmer or other person, any fresh meats offered for sale in this city, before the hour of noon, and re-sell the same meats at an advanced price, such licensed butcher shall on conviction thereof, besides the above penalty, forfeit his licence; and such licence shall not be renewed during the same year that such offence may have been committed.

6. In any [illegible] where the agent, apprentice, labourer, or servant of any butcher, or other person shall transgress any part of this law, he or they so offending, or his or their master or employer, shall be liable to the payment of the penalties prescribed in this law.

7. All meat sold shall be previously weighed in a scale by weights properly inspected, stamped, marked, and if necessary duly corrected by the examiner of weights and measures for the city; and in case any fraud shall be committed in the weight of any meat, or in case any meat shall be sold not being weighed as aforesaid, the person selling the same shall forfeit ten shillings for each offence; all persons selling provisions or other articles by weight or measure in market shall provide themselves with good scales, weights and measures, regularly marked, stamped, and duly adjusted by the said examiner of weights and measures.

8. Every Licence granted to a Butcher shall contain a provision that the same shall be void, and cease to operate when the Common Council shall require the same.

9. Every Butcher shall keep his cellar in the Market in a clean and sweet state; and the Clerk of the Market shall have access at all times to the said cellars, or any of them under a penalty of five shillings for each refusal.

10. Every Butcher shall keep the table of his stall or standing, and the place where his Meats may lie, clean and free from filth or dirt; and shall also keep clean the pavement of the market-place opposite to and under his stall, upon pain of forfeiting five shillings for each offence.

No person when driving under the arches or inside the market shall drive faster than on a walk under a penalty of five shillings.

11. Horses, Cattle, Calves, Sheep and Hogs shall be excluded from the interior of the market-place and from the side-walks surrounding the same outside; and Horses and Oxen drawing waggons and other carriages into the market-place, shall be immediately removed out of the same until again wanted to draw off the same waggons and other carriages.

12. Fire-wood, Hay and Lumber shall be excluded from the interior of the present market-place; and all persons frequenting the market shall place their waggons and other carriages in such order as the Clerk of the market shall direct, or otherwise be liable to a penalty of two shillings and six pence for each offence.

SECTION II.

THAT at least six copies of the foregoing regulations shall as often as the same is requisite, be put up in conspicuous places in and about the markets; and a penalty of five shillings shall be inflicted on any one defacing, destroying, or taking down any of the said copies.

SECTION III.

THAT any person who shall use, occupy, build, or keep any private stall for the sale of Meats, shall forfeit and pay the sum of two pounds, and the like sum for every week thereafter in which the same shall be used. Provided however that nothing in this act contained shall be taken to prevent licensed Butchers, who have stalls in the market, from selling meat by the quarter in waggons or other carriages after the hour of twelve o'clock at noon, on week days, in any part of the city if they have been unable to effect a sale thereof in the market.

SECTION IV.

THAT the sum of five shillings shall be paid for a Licence by every Butcher who occupies a stall in the regular markets.

SECTION V.

THAT the clerk of the market or markets, under the direction of the Mayor, shall inspect the weights, measures, and balances that may be used in market, and seize and destroy such as are not according to the established standard.

2. He shall inspect all Meats that may be exposed for sale in Market, and seize and destroy whatever may be tainted, or otherwise unfit to be eaten.

3. He shall cause the gates of the Market Place to be opened every morning (Sundays excepted) at five o'clock,

between the first of May and first of November, and at 7 o'clock during the rest of the year; and to be shut every evening at 4 o'clock all the year round; but on Saturdays the market shall be kept open till 9 o'clock, P. M.

4. He shall assign a place to the hucksters frequenting the markets, and take notice that their certificates of rent agree with their term of occupation.

5. He shall report from time to time concerning all repairs necessary to be done to the market buildings in his charge.

6. He shall determine all disputes that may arise in the market respecting weight and measure, and charge no fee or perquisite for any service by him performed other than such fees as are authorised and enjoined by the laws of the city.

7. He shall enquire into the conduct of all persons exposing for sale any provisions in market, and observe whether they are guilty of any infraction of the By-laws of the Common Council, and report all offenders to the Clerk of the Council, whose duty it shall be forthwith to prosecute the offenders for the penalties annexed to their several offences.

SECTION VI.

That no person shall build, make, or use, or cause or permit to be built, made or used, any Slaughter-house for the purpose of butchering any cattle, at any place within the bounds of this City under the penalties of two pound ten shillings for each animal butchered and slaughtered at any such place. *Provided*, however, that this section shall not take effect until after the 15th day of June, 1834.

SECTION VII.

That no licence or lease to any butcher shall be construed to vest any interest in such butcher in the soil or any part of it, on which any public market place shall stand, or in the market house thereon erected.

SECTION VIII.

That no person shall buy any provision or article of food in the market for the purpose of selling again, dur-

ing Market hours, that it is to say from the opening of the market until twelve o'clock, noon, on pain of forfeiting two pounds for each offence.

SECTION IX.

That all articles in market shall be sold by weight or measure; and any article which shall be offered for sale for a certain weight or measure, and shall prove defective, shall be forfeited and seized for the use of the poor; but if sold, then the seller shall forfeit, for the first offence five shillings, and ten shillings for the second and every subsequent offence.

SECTION X.

After the first day of June next, no butcher, or other person whatever, shall, by himself, his agent, or servant, sell or expose for sale in the City, any lamb, mutton, veal, beef, pork, in quarters, or other meats, (venison, pork in the hog, wild game, poultry, dried, smoked, and other cured meats excepted,) at any other place than at an authorized public market; and if any butcher or other person or persons, shall sell, or offer for sale, any flesh meats, at any other than the places above mentioned, or shall take any stand for the sale thereof, at any other than the said places, it shall be lawful for the Mayor, or any Alderman, to order and direct any person to remove such meats to the public markets; and if any such person shall refuse, or neglect so to do, he, she, or they, shall forfeit for such offence the sum of one pound. *Provided*, however, that nothing in this act shall be taken to prevent persons from the country from trying to effect sales of fresh meat, in any part of the city after the hour of twelve o'clock, if they have paid the fees, and been unable to dispose of their provisions in the regular market.

SECTION XI.

That it shall be the duty of the Clerk of the Market to cause the market place to be well swept & cleansed and the street and paved ways in front of and adjoining the said market, also, to be swept and the dirt carried away as often as occasion shall require; and it shall likewise be his

duty to cause all scraps, offal, bones and refuse of meats remaining in or near the said market, to be carefully removed, and the doors of the market place to be shut on each day when the market shall be closed.

SECTION XII.

That the market clerk shall before he enters upon the execution of his office, take and subscribe an oath or affirmation before the Mayor of the city, well and faithfully to execute the duties of said office, without favour, affection or partiality, and file the same in the office of the City Clerk. That in case the said clerk shall exact or receive any higher fees than those authorized by this act, or be guilty of any other act of extortion, he shall on conviction thereof before the Mayor or any Alderman, be fined for the first offence the sum of two pounds ten shillings, and for every subsequent offence the sum of five pounds.

SECTION XIII.

That it shall not be lawful for any merchant, trader, grocer, or skipper, or any citizen or inhabitant of the city or of the liberties thereof, nor for any person who shall resort to the city for the purpose of selling any kinds of grain, meat, poultry, and country produce, or eggs, butter, or cheese, to purchase or to contract or agree for the purchase of any kinds of meat, poultry, country produce, or eggs, butter, or cheese coming to the city for sale within any part of the liberties of the city, nor to hire or employ any persons to make such purchase, contract or agreement under the penalty of twenty shillings for each offence. Provided always, that nothing in this section shall be construed to prevent any private house-keeper of the liberties of the said city, who shall not be a trader or dealer, in any of the articles aforesaid, from purchasing such articles for the consumption of his or her own family.

SECTION XIV.

That all the stalls, cellars, stores, stands, rooms, granaries, and apartments, in or belonging to the market build-

ings, shall, when let, be let by public auction; and the rents of the market stalls shall be payable quarterly, in advance.

SECTION XV.

That the Clerk of the Market shall be entitled to demand and receive the following fees, viz:

From the owner of each sleigh, waggon or other carriage in which there shall be any fresh meat exposed for sale in market six-pence; and from all persons bringing other produce to market, whether meat, poultry, butter, cheese, eggs, flour, oats, peas, vegetables or any kind of grain whatsoever if brought by a two horse waggon, or sleigh, the sum of six-pence; if by a one horse cart, sleigh, or cutter the sum of four-pence; if brought on horseback or in a wheel barrow, the sum of three pence; and if by hand the sum of one penny.

Wm. L. MACKENZIE, *Mayor.*

Common Council Chamber,
May 27th, 1834.

AN ACT

CONCERNING NUISANCES AND THE GOOD GOVERNMENT OF THE CITY.

[Passed May 30th, 1834.]

BE it enacted by the Mayor, Aldermen, and Commonalty of the City of Toronto, in Common Council assembled—

SECTION 1.

That any person who shall be guilty of any of the offences hereinafter mentioned, shall be subject to the penalties hereinafter prescribed, to wit:

1. Any person who shall on Sunday do any servile work, or labour, (works of piety, charity, and necessity excepted) or buy or sell, or show forth, or expose for sale, any Goods, Wares, or Merchandize, or any other thing shall forfeit a sum not less than five shillings nor exceeding fifteen shillings for each offence, in the discretion of the Magistrates convicting, but it shall be lawful to sell Milk, until nine o'clock in the morning, and after four o'clock in the afternoon, and the Constables are especially enjoined to carry this Law into effect.

2. Any person who shall drive any carriage, or sit upon any Horse or other beast harnessed thereto, in order to drive the same, unless he shall have strong Reins, or Lines fastened to the Bridles of the Beasts, and held in his hands sufficient to guide them to and restrain them from running, galloping or going immoderately through any of the Streets, Lanes, or Alleys, and any person driving any such Carriage or riding upon any Horse, Mare, or Gelding, or who shall cause, permit or suffer the Beast or Beasts, he shall ride, use or drive, to go on a gallop, or other immoderate gait, and any person having the care of any Carriage, Horse, Mare, or Gelding, who shall walk or stand by, or near the same, and shall not sufficiently secure such Beast from running or going on a gallop, or other immoderate gait; and any proprietor or possessor of any Horse, Mare, or Gelding, who shall suffer or permit the same to run at large in any of the Streets, Lanes, or Alleys, or shall suffer the same to stand in any Lane, Alley, or Street, without being sufficiently secured or tied to prevent its running away, shall severally in each and every of the foregoing cases forfeit a sum not exceeding ten shillings, and not less than three shillings and nine-pence, in the discretion of the magistrate convicting; and it shall be lawful for any person to stop any Horse, Mare, or Gelding, running at large, or going on a gallop or other immoderate gait, until the Mayor or some Alderman may be informed thereof. So that any such Mayor or Alderman may cause such Horse, Mare or Gelding, and the Carriage (if any) to which the same may be attached, to be detained and kept at the expence of the offender, until such penalty and expences be paid with costs, or until the offender can be secured and dealt with according to law.

3. It shall not be lawful for any person to throw or deposit, or cause to be thrown or deposited, any Dung, Manure, or filth of any description whatsoever, in the front of the City, upon the road, beach or in the water, in the harbour, under a penalty of ten shillings for each offence.

4. It shall not be lawful for any person to take away any of the Gravel, Sand, or Earth, forming the Beach, in front of the City, under a penalty of ten shillings for each offence.

5. It shall be the duty of the High Bailiff, to prevent the erection of any Huts, or Shanties on the Beach, or public grounds adjoining, within the bounds of the said City and liberties, and to cause all such Huts or Shanties to be instantly removed.

6. No person shall hereafter empty any straw-bed, or throw other substances upon vacant lots, streets, lanes, or alleys, or throw Ashes, or other refuse of Coal, in any of the Streets, Lanes, or Alleys, under the penalty of five shillings for each and every offence.

7. Any Physician or other person Inoculating any person for the Small Pox, shall forfeit five pounds for each Inoculation; and any person suffering himself, his Wife, Child, Apprentice, or

Servant to be Inoculated, shall forfeit two pounds ten shillings for every such Inoculation.

8. Any person vending or disposing of any goods, or other articles, at cards, dice, billiards, bagatelle boards, shuffle boards, E. O. tables, pharo banks, or any other unlawful games or setting up the same to be raffled or played for, and any person guilty of raffling or playing in his own house, or dwelling, or otherwise, for money, liquor, or other articles; and any person keeping a billiard table, bagatelle board, shuffle board, E. O. table, pharo bank, or any other unlawful game for hire or reward, or where money or liquor or other articles shall in any way be played for, and if any person shall keep or have in his possession any billiard table, shuffle board, E. O. table, pharo bank, or any unlawful instrument, or device for gaming, and shall permit any apprentice, minor, or servant to play at any or either of the said tables, or devices, whether for hire, or reward or not, shall in either, and every case, be liable to a forfeiture of four pounds, and if such offender shall be a tavern keeper, the penalty shall be five pounds; and it shall be lawful for the Mayor or any Alderman, after the first conviction, and any person in aid of him, to enter into any house, or other building, lot, or yard, and to suppress, destroy, or remove any gaming tables, or instruments, or devices for gaming; and if any person shall hinder or obstruct him in the execution of his duty, he shall forfeit five pounds.

9. No person shall for his gain, lucre, or living, keep any common house, alley or place of bowling, quoiting, tennis, ninepins, or any other unlawful game now or hereafter to be invented, on pain of forfeiting two pounds for each day he shall keep the same, upon conviction thereof.

10. Any person who shall leave, any garbage of fish, or any other offensive, putrid, or unwholesome substance on the pier, or any of the bridges, wharves, or slips of the City, or who shall permit any stagnant water, or any filthy, putrid, or unwholesome substances to remain on his lot, or in his house, or other building, or in or upon any sloop or other vessel, to the annoyance of any other person, after notice from an Alderman, to remove, fill up, destroy, or abate the same in such reasonable time, and manner, as he shall direct, shall forfeit one pound five shillings, and a like penalty shall be inflicted on any person who shall cause any filthy, putrid, or unwholesome substance, to be placed in any street, lane, or alley, and shall neglect removing or abating the same after such notice as aforesaid: And any Alderman with any person in aid of him, after such notice, and either before or after prosecution, (but in the day time) may enter into, or upon any sloop, or vessel, or into any lot, house, or building, and remove, or abate such nuisance, in such manner as he shall judge best, at the expense of the offender, to be recovered by action of debt from such offender, with costs, and if any person shall hinder, or obstruct such Alderman, or any person in aid of him in the execution of this duty, he shall forfeit five pounds.

11. Any person digging, taking, or carrying away, any earth or sand from any of the streets, lanes, or alleys, or from the public squares, or from any of the lots belonging to the Mayor, Aldermen and Commonalty of this City (except in pursuance of some Law or Resolution of the Common Council, or by virtue of some Order of a Magistrate for the removal of nuisances or obstructions) shall forfeit five shillings for every such offence.

12. Any person bathing or swimming along, or near the Piers, Wharves, or Shores of the said City, at any time between the hours of six in the morning, and the hour of eight in the evening, shall forfeit ten shillings for every such offence. Provided, however, that nothing in this Section shall be taken to prevent any person from bathing in the Lake, in any part West of the line of Peter Street, before the hour of 7 o'clock in the morning.

13. No Steam Boat or other Vessel sailing on the Lake, shall receive any freight or discharge any part of the Cargo on the Sabbath day, at or near any of the Wharves of this City except the baggage of passengers, nor shall any bell be rung in the manner of a fire bell on any day or night except in cases of fire under a penalty of five pounds for each offence.

14. Any person who shall wilfully and wantonly injure, deface, or tarnish, any house, porch, stoop, door, gate, well, or pump, fence, tree, or any useful or ornamental public, or private work, or improvement, or any post standing in the street, either by daubing or besmearing the same, or any part thereof, with paint, mud, tar, oil, or grease, or by throwing stones, or in any other manne. whatever, or who shall aid or assist therein, shall forfeit and pay the sum of one pound five shillings.

15. No person shall place any cask, wood, stone, plank, boards, or other article, in any street, or on any side walk, so as to incommode or obstruct the free passage, or use thereof, on pain fo forfeiting for each offence five shillings. And any Alderman may cause the same to be removed at the expence of the offender, nor shall any person under a like penalty back, drive, or lead any horse, waggon, or cart, over any such side walk, or use, ride or drive any sled or sleigh thereon, unless it be in crossing the same to go into any yard or lot.

16. No person shall place or cause to be placed any stone, lumber, or any other materials for building whatever, on any side-walk, or pavement; nor shall any person be allowed to occupy more than half of the street (and in case of two buildings being erected opposite to each other at the same time not more than one-third of the street) with any such materials, and then only during the time which may be indispensably necessary for erecting the buildings for which such materials are designed, under a penalty of twenty-five shillings, on conviction before any City Magistrate, and any Alderman may cause the same to be removed at the expense of the offenders, to be recovered by action of debt. Pro-

vided always, that no lumber or other materials deposited in t roads for building shall be so placed as to obstruct the passage water in the gutters or surface drains.

17. No person shall suffer any Carriage without horses, to r main or stand in any street or lane, for more than one hour [wit out a written permission from the Mayor, or one of the Alde men] under the penalty of five shillings for each offence.

18. No person shall at any time, fasten any horse, or horses, any porch, or in such way, as that the reins, or lines, shall pro an obstacle in the free use of the side walk, upon pain of forfe ing five shillings for each offence; and the person in whose po session or use, such horse or horses shall then be, shall be dee ed the offender, unless he shall prove the contrary, to the sat faction of the Magistrate before whom he shall be brought.

19. No person shall cast or throw any ball of snow, or ice, any of the public streets of this City, under a penalty of fi shillings for each offence.

20. If any person shall sell any goods, wares, merchandize, quors or other effects whatsoever, as being of a certain weight measure, and the same shall prove defective, and not accordi to law, or the course or usage of trade, such seller besides bein answerable to the party aggrieved, shall pay twenty-five shilling for each offence.

SECTION II.

Any person who shall during any Holyday erect or cause to be erected, any tent, booth or stall within the limits of the City for the purpose of vending or disposing of any spirituous liquors beer, mead, or cider, or any kind of meats, cakes, or fruit, and any person who shall during the time aforesaid, collect in num bers in any street, lot, or other place, for the purpose of gaming dancing, or other amusement, shall forfeit one pound five shillings for every offence.

SECTION III.

No swine shall be permitted to run or be at large in any of the streets or any of the side walks in this City, and if any swine shall be so found running or being at large, the owner or owners thereof shall forfeit and pay for each and every such swine, the sum of five shillings to be recovered in the name of the Mayor, Aldermen and Commonalty of the City.

SECTION IV.

It shall be the duty of the High Bailiff to employ persons to take and convey all Swine found running or being at large, contrary to the above section, to the public pound, there to detain the same for six days, and in case no person shall appear to claim the same within the time aforesaid, and pay such fine, and all reasonable charges, for conveying and keeping such swine, then and in such case at the expiration of the said six days the pound-master shall sell such swine at public auction, after giving three days public notice in writing of such sale, in at least three public

ces in this City, and after deducting such fine and all charges oresaid, the surplus, if any, shall be paid over to the owner or ners of such swine, if satisfactory evidence or proof that such imant or claimants was or were the owner or owners thereof, ovided such claim shall be made in three months after such e, and if no such claim shall be made within the time aforesd, then the nett proceeds of such sale shall be appropriated by Council to the support of the poor of this City.

SECTION V.

n case any minor or servant shall incur any penalty under this any other law of the Common Council, then and in such case father, mother, or guardian, or the master or mistress of any h minor or servant shall be held liable for every such penalty, in case a minor or servant shall be guilty of any offence, then penalty incurred may be recovered in the first instance, eir against his father, mother, guardian, master, or inst such minor or servant; but in case, proceedings to gment shall have been had against any such minor, or servant, such judgment shall not have been immediately paid, then, in such cases it shall be lawful to sue for, and recover, the alty incurred from the father, mother, guardian, master, or tress of such offender; and that no proceedings or judgment inst any father, mother, master, or mistress, shall prevent or ct any proceedings, judgment, or execution against the sert, or minor, provided there shall be but one satisfaction for one offence.

SECTION VI.

t shall not be lawful for any person or persons to have or draw eine in the bay for the purpose of catching fish, in any part of beach in front of the city, under a penalty of ten shillings for h offence. Provided that this clause shall not be so construed to prevent any person from fishing with a seine or otherwise, any part of the Beach east or south of the Don River, on y part of the peninsula opposite the City, or any part of the ach west of the old King's Wharf.

WM. L. MACKENZIE, *Mayor.*

Common Council Chamber, Toronto, May 30th, 1834.

AN ACT

CONCERNING LICENCES.

[Passed 31st May, 1834.]

BE it enacted by the Mayor, Aldermen and Commonalty of the City of Toronto, in Common Council Assembled.

SECTION I.

That the Mayor shall sign all Licenses to retailers of Ale, Beer and Cider, Butchers, Cartmen, Showmen and Keepers of Ordinaries or Victualing Houses, and the Chamberlain shall countersign the same.

SECTION II.

Two pounds shall be annually paid for each Licence granted to a keeper of an Ordinary or Victualing house, or house of entertainment for the purpose of selling Ale, Beer or Cider, or of a house where victuals or cordials or any other manufactured beverage may be sold, to be eaten or drank therein, within the said City or the Liberties thereof.

SECTION III.

All Licences that may be granted by the authority of this Law, shall expire on the first Tuesday in June, of every year.

SECTION IV.

Before any keeper of a Beer house, Ordinary or Victualing house, shall be entitled to any Licence or permit, under this Law, he shall enter into a bond to the Mayor, Aldermen, and Commonalty of the City, with two sufficient sureties, in the penal sum of ten pound, with the following condition annexed, viz:

"The condition of the above obligation is such, That if the said A. B. shall not, permit any riotous or noisy persons to be assembled in his house, store or cellar, on the Sabbath Day, nor permit at any time any manner of Gaming, Quarrelling, or other disorderly practice or conduct, nor keep any Billiard table or other instrument, or device

ed for gaming, then the foregoing obligation to be void, se to be and remain in full force and virtue."

And the said bond shall be endorsed, "approved," and ch endorsement shall be signed by the said Mayor.

SECTION V.

The High Bailiff, on or before the fifteenth day of May each year, shall report to the Mayor the names of all tailers of Ale, Beer and Cider, and keepers of Ordinaries d Victualling houses, or Houses of entertainment, with- the said City, and in what Street, Lane or place they side.

SECTION VI.

Any person who shall retail Ale, Beer, Porter or Cider, thout having a Licence so to do, according to this Law, all for the first offence forfeit one pound, for the second fence two pound, and for every subsequent offence five und, and every such sale as aforesaid without such Li- nce shall be deemed an offence; Provided, There shall but one recovery for any offence or offences on any e day, and one conviction shall be a bar to any prosecu- on for all previous offences committed under this Law.

SECTION VII.

Every person Licenced as a Tavern-keeper, or keeper an ordinary, or of any house licenced under the 2d sec- n of this law shall within twenty days after obtaining his cence, place up and keep in front of his house, shop, re, or cellar, in conformity with this Law, a shew board, sign, with his name legibly painted at full length there- , and also designating thereon the business for which is so Licenced, with the word "Licensed" and any per- offending herein shall pay a penalty of five shillings r the first offence, and the further sum of one shilling d three pence for every day the said omission shall con- ue.

SECTION VIII.

It shall be the duty of the High Bailiff,

1. To furnish the Mayor with an Alphabetical list of the mes of all persons having Licences under this Law,

distinguishing the nature of the Licence which such person shall have obtained, and when the same was granted.

2. To furnish at least once in every three months, and oftener if required by the Common Council, the names of all persons who have obtained Licence under this Law, and the time of granting the same, together with the names of the sureties for each person, and the sum paid for each Licence, and the names of such persons having Licences shall be Alphabetically arranged by the said Bailiff and filed by the Chamberlain.

SECTION IX.

No Licence shall be granted under this law, until the application for the same shall have been submitted to a standing Committee to be composed of the Mayor and six Aldermen, of whom three shall be a quorum.

W. L. MACKENZIE, *Mayor.*

Common Council Chamber, May 31st, 1834.

AN ACT

TO IMPOSE A TAX ON DOGS.

[Passed 30th May, 1834.]

BE it enacted by the Mayor, Aldermen, and Commonalty of the City of Toronto in Common Council Assembled:

SECTION I.

That there shall be annually levied and collected within this City and the liberties thereof, the following tax upon dogs: upon every bitch of three months old or upwards, kept by any one person or family 7s. 6d; upon every additional bitch kept by the same person or family 25s; upon every dog of three months old or upwards other than bitches, kept by one person or family 5s; upon every such dog more than two kept by the same person or family 15s.

SECTION II.

The Assessors of this City and liberties, at the time of making their annual assessments, shall enquire and ascertain the number of dogs liable to be taxed; and shall enter in lists to be made by them, the name of every person, then owning or keeping any dogs, subject to the above tax, the number kept by such person and the whole amount of the tax to be paid by him.

SECTION III.

The owner or possessor of any dog liable to the above tax shall whenever required by an assessor, deliver to him a description in writing of every such dog owned or possessed by him. For every neglect or refusal so to do, and for every false statement made in any description so furnished he shall forfeit 25s. to be recovered by the City Clerk.

SECTION IV.

The Assessors shall within the time required by law for the completion of their assessment rolls, of real and personal property, make out a duplicate of the lists by them made, containing the names of the owners and possessors of dogs liable to taxation, with the amount payable by such person, and annex thereto a direction to the Collector of the Ward, to levy, raise and collect the several sums in such lists specified, of the persons respectively opposite to whose names the said sums shall be set according to law, and pay over the same after deducting his legal commission, to the City Chamberlain, which shall be signed by them delivered to the Ward Collector.

SECTION V.

The Collector to whom such list shall be delivered, shall proceed and collect the sums of money therein specified in the same manner and with the like authority in all respects, as in the collection of Taxes imposed by the assessment laws of this Province, and shall pay the same to the City Chamberlain, after deducting the commission that may be allowed by law, and the same remedies to

compel such collection, and the payment over of the money collected, may be had against such Collectors, and their sureties as in the case of Taxes levied under the said assessment laws.

SECTION VI.

If any dog shall attack any person peaceably travelling on any high-way, or any horse in a carriage, or upon which any person shall be mounted, and complaint thereof be made to the Mayor, or any Alderman, such Mayor or Alderman shall enquire into the complaint, and if satisfied of its truth, and that such dog is dangerous, he shall order the owner or possessor of such dog to kill him immediately.

SECTION VII.

The owner or possessor of any dog who shall refuse or neglect to kill him within forty eight hours after having received such order, shall forfeit the sum of 10s and the further sum of 5s. for every forty-eight hours thereafter, until such dog be killed.

SECTION VIII.

Every person in possession of any dog or who shall suffer any dog to remain about his house for the space of twenty days, previous to the assessment of a Tax, or previous to any injury, or any such attack made by a Dog shall be deemed the owner of such a Dog for all the purposes of this Law.

W. L. MACKENZIE, *Mayor.*

Common Council Chamber, May 30th, 1834.

AN ACT TO REGULATE THE SALE OF HAY.

[Passed June 6th, 1834.]

BE it enacted by the Mayor, Aldermen and Commonalty of the City of Toronto, in Common Council assembled---

SECTION I.

That all hay sold or delivered within this city by the cart, waggon or sled load, shall be weighed by the weigh-

master, in manner hereafter directed, at the expence of the seller, whenever it shall be demanded by the buyer before delivery; unless where an agreement shall have been previously made to the contrary by the parties before witnesses. Any person who shall refuse to comply with this regulation shall forfeit for each offence the sum of five shillings.

SECTION II.

There shall be such and so many proper and convenient machines or engines erected, and scales and weights provided for weighing carts, waggons, sleds, hay and any other article not likely to injure the said machines in weighing, at such place or places within this city as the Common Council shall direct and appoint.

SECTION III.

Every person who shall be appointed weigh-master for the weighing of hay within this city, shall before he enters on the duties of that office take an oath well and faithfully to execute the duties of the said office according to the best of his skill and understanding.

SECTION IV.

It shall be lawful for every person, who shall be appointed weigh-master of hay, to ask, demand and take for every cart, waggon, or sled load of hay, to be weighed at any of the said machines, the sum of nine-pence, if less than half a ton, and the sum of one shilling if over half a ton, and no more; to be paid by the person who sells or delivers the same.

SECTION V.

It shall be lawful for any weigh-master to weigh at his hay scales any load of merchandize, or other articles for which he shall receive the following fees, to wit:

For every waggon, cart, or sled with its loading, whether it weigh one ton or under, one shilling and three-pence, and for every ton above one at and after the rate of one shilling per ton, and for any other article not in any waggon, cart, or sled, at and after the rate of one shilling and three-pence per ton.

SECTION VI.

It shall be the duty of every person who shall be appointed weigh-master to attend to the said machines from time to time, when and immediately after he shall be required by any person who shall apply to him to have hay or any other articles weighed, so that such attendance be not required in the morning before sunrise, or in the evening after sunset: And provided further, That all waggons, carts, sleds, or articles required to be weighed, shall not injure or endanger the machines or scales in weighing, and the weigh-master shall weigh all such hay, waggons, carts, sleds, and other articles as shall be brought to him for that purpose, together with the waggons, carts, or sleds in which the same shall be loaded, and shall furnish the person who shall apply to have such hay or other article weighed, a weigh-note subscribed by such weigh-master, setting forth the gross weight of such load, with the waggon, cart, or sled upon which the same is brought to market, and note the tare or weight of the waggon, cart, or sled, and also the day of the month and year the same is issued, together with the name of the owner of such hay or other article.

SECTION VII.

Every weigh-master at whose scales any load of hay shall have been weighed, and who shall have given a weigh-note as aforesaid, shall after such hay has been unloaded, upon request of either the seller or purchaser of such load of hay, if made during the same day such weigh-note was given, re-weigh the same waggon, cart, or sled, and ascertain the true net weight of the hay which has been thereon, and shall then insert in the weigh-note given by him, and under the statement of the gross weight, the words "tare weighed" together with such weight in figures, and deduct the same from the first weight, and sign his name, for which he shall be entitled to receive sixpence from the party applying to have such vehicle weighed.

SECTION VIII.

If any owner or seller of hay after the same has been unloaded shall neglect or refuse to have the tare ascertained as aforesaid upon the request of the purchaser made the same day, he shall be subject to the penalty of twenty shillings.

SECTION IX.

When any person shall apply to the weigh-master to weigh his waggon, cart, or sleigh, or other article likely to injure the said machines in weighing, the said weigh-master shall weigh the same, and shall enter the weight thereof in a book to be kept by him for that purpose, and shall mark if requested on some conspicuous part of such waggon, cart, or sled with a marking iron, the weight of the same, the owner paying therefor one shilling to the weigh-master in addition to the fee or compensation allowed for weighing hay as aforesaid.

SECTION X.

The said sums shall be paid if the weigh-master require it, before such waggon, cart, sled, hay, or other articles which shall be weighed in any of the said machines, shall be removed therefrom; and if any weigh-master shall neglect or refuse to do or perform any of the duties required of him by this law, or shall demean himself partially or corruptly in the execution thereof, he shall forfeit and pay twenty shillings for every such offence besides being answerable in damages at the suit of the party grieved.

SECTION XI.

If any person shall falsely and knowingly fabricate, alter or make any weigh-note, or any endorsement thereon, or shall knowingly alter the same, with intent to defraud any purchaser or other person, or shall alter or pass any true weigh-note, as the weigh-note of any hay, merchandize or other article, for which the same weigh-note was not in fact given, with intent to deceive or defraud any person, such person shall for each offence respectively forfeit and pay the sum of two pounds ten shillings besides being answerable in damages to the party grieved.

SECTION XII.

No weigh-note given for the weight of hay shall be in force longer than one day, and any person who shall sell or offer for sale any hay which has been weighed more than one day previous to the sale thereof, or previous to such offer to sell, shall forfeit and pay the sum of twenty shillings.

SECTION XIII.

It is the duty of the weigh-master in every case when hay which is wet or improperly cured, or not sufficiently dry, or which from any other cause may be heavier than good and merchantable hay shall be brought to him to be weighed, to endorse the same on the weigh-note, accompanying such hay, together with the number of pounds which in his opinion should be deducted by reason aforesaid, and any weigh-master who shall falsely endorse such weigh-note in manner aforesaid to the prejudice of the owner thereof, shall forfeit and pay the sum of ten shillings, which sum when recovered, may in the discretion of the Common Council be paid to such owner.

SECTION XIV.

The weighers of hay shall respectively make due entries in books to be kept by them for that purpose, in the name of every person whose hay shall be weighed by them; the day of weighing the same and the weight thereof, which books shall be open for inspection by any person at all reasonable times when required; & each weigher shall once in every three months, make return to the Common Council in writing under his hand, of the number of loads of hay weighed by himduring such time, with the weight of each load and the fee or compensation received therefor.

SECTION XV.

All hay brought to the city for sale shall be conveyed to such places within the bounds thereof, as the Mayor, from time to time, by notice under his hand shall specify and direct; which places so designated as aforesaid, shall be and are hereby declared to be the public stands for

the sale of hay; and the waggons, sleds, or other carriages containing the same shall be arranged in a line as close together as conveniently may be so as to have at suitable distances, openings for passengers; and any breach of this section or any part of it, shall subject the offender to a penalty of five shillings for each offence.

Common Council Chamber, Toronto, June 6. 1834.

WM. L. MACKENZIE, *Mayor.*

AN ACT TO ESTABLISH A BOARD OF HEALTH.

[Passed June 9th, 1834.]

BE it enacted by the Mayor, Aldermen, and Commonalty of the City of Toronto, in Common Council assembled:

§ 1. A board of health shall be annually appointed by the common council, to consist of the mayor and four members of the council which board shall have authority to enforce the laws of this province providing against infectious and pestilential diseases, and for that purpose shall assemble at such time and place, and as often as they may judge necessary, to superintend and direct the execution of all such laws of this Province, and of the common council, as now are or hereafter may be passed providing against the said diseases, or which relate to the public health of the city, to be by them exercised in such manner as in their judgment and discretion may best promote the important object for which the said board is instituted; and any three members of the board shall be a quorum to transact business.

§ 2. The said board of health shall make diligent inquiry with respect to all nuisances which may exist in the city, which they may deem obnoxious to the health and lives of its inhabitants, and shall have full power to order the removal of the same at their discretion, under a penalty of any sum between five shillings and five pounds for every refusal of any person in complying with such order.

§ 3. The said board, during the existence of any epidemical disease, or upon its probable approach, shall have a power, at the public expense, to open Lazarettos, or such other place or places as they shall deem proper, for the accommodation of the sick, and to make such rules and regulations for their admission, reception and treatment as they may think proper, hereby authorising such board to employ such and so many physicians and nurses, and to procure such nourishment, food and necessaries for the use of the sick so admitted, as well as for the use of the sick of this city, as they may deem just.

§ 4. The said board shall have power, in their discretion, to remove or order the removal of all persons and things within the said city, infected by or tainted with, pestilential matter, to such place or places as may in their opinion best conduce to the preservation of the health of the city; and in order to enforce a prompt and punctual compliance with the said order, all offenders in the premises shall respectively be subject to a penalty of two pound ten shillings for each offence: *And further*, It shall be the duty of the High Bailiff and of the City Inspector to observe, such instructions as may be given them respectively by the said board touching the duties enjoined upon them.

§ 5. It shall and may be lawful for the board of health from time to time and for such period, and at such time and place as they shall think fit, to require the keepers of all public houses, hotels, taverns and boarding houses, to make reports of persons sick or diseased, and also to require all physicians to report the number of persons sick and attended by them, and the number of persons deceased who have been attended by them during the prevalence of any infectious disease or epidemic and such other regulations as the board may deem proper for the preservation of the public health, not inconsistent with the laws of this Province; and every person who shall neglect or refuse to comply with the provisions hereof, and the regulations so established, shall be subject to a penalty of two pound ten shillings.

§ 6. It shall be lawful for the said board to direct some suitable person or persons by them to be authorized for

the purpose, to enter in the day time and examine into any building of any kind, cellar, lot of ground, alley, sink, vault or privy which they may have reason to believe are foul, damp, sunken or ill constructed, and may direct the cleansing, altering and amending the same and the removal of all nuisances in and about the said premises; and the city superintendent shall from time to time report to the Mayor, Aldermen or board of health, all such buildings, cellars, lots, alleys, sinks, vaults or privies, public or private docks and slips, as may in his judgment require to be cleansed, altered or amended for the security of the health of the city.

§ 7. It shall be lawful for the said board of health to direct any stagnant waters to be drained off or removed from any lot, or out of any street; and if any owner or possessor of ground on which such stagnant water may be, shall omit to obey the directions of the board with regard to its removal or draining off, such offender shall pay a penalty of two pounds ten shillings; and the said board shall have authority at their election to enforce and put in execution the directions so given at the expense of the offender, to be recovered as a penalty, provided it do not exceed five pounds.

§ 8. It shall be lawful for the said board to prohibit the use of such vats, pits or pools of standing water, whether from tanners, skinners, dyers, or other persons, as they may deem dangerous to the public health; and if any orders given by them in the premises shall be disobeyed, the offender shall forfeit two pounds for each offence.

§ 9. No person shall occupy or use any street, lane, or alley, or any public square or avenue of the said city, or erect any booth or platform therein, for the purpose of laying, opening or exposing for sale any fish, provisions or goods of any kind, without the permission of the common council, under the penalty of five shillings for every day this provision shall be violated: but no single recovery shall exceed one pound five shillings.

§ 10. No person shall inter any corpse in any cemetary or other place in the said city, unless in vaults or graves at least six feet deep, and without removing, disturbing or

exposing any other dead body or coffin, under the penalty of one pound five shillings.

§ 11. Every butcher or other person, immediately after killing any beeves, calves, sheep, hogs or other cattle, shall destroy the offals, garbage and other offensive and useless parts thereof, or convey the same into some place where the same shall not be injurious or offensive to the inhabitants, under the penalty of one pound five shillings for every offence.

§ 12. No person shall cast or leave exposed the dead carcass of any horse, cow, hog, dog or other animal, in any street, lane, alley, yard or lot within this city, under the penalty of two pounds for every offence.

§ 13. Whenever any putrid or unsound beef, pork, fish, hides or skins of any kind, or any other putrid or unsound substance, shall be found in any part of the city, it shall be the duty of the city superintendent and of the police constables to cause the same to be destroyed, or to be disposed of in such other manner as may be equally secure as it regards the public health; and if any person shall resist the city superintendent or constables, or either of them, in the execution of the duties hereby imposed, or shall disturb, hinder or molest them therein, such offender shall forfeit the penalty of two pounds ten shillings.

§ 14. No tub shall be removed from any privy or necessary house within the city, except between the hours of eleven at night and three in the morning, from the first day of May to the first day of October, under the penalty of two pound ten shillings for each offence; nor shall any person, under the like penalty, empty, cast or lay the contents of any tub or privy in any slip or dock, or in any street, lane or alley, or on any public property.

Common Council Chamber. Toronto, June 6, 1834.

WM. L. MACKENZIE, *Mayor.*

AN ACT

TO REGULATE THE DUTY AND OFFICE OF CHAMBERLAIN.

[Passed, May 30th, 1834.]

BE it enacted, by the Mayor, Aldermen and Commonalty of the City of Toronto, in Common Council assembled—

I. That the person who shall hereafter be chosen to the office of Chamberlain of the City of Toronto, shall, before he enters upon, or executes the duties of said office, and within twenty days after receiving notice of his appointment thereto, execute a Bond to the said Mayor, Aldermen and Commonalty, with two sufficient sureties, being Freeholders, (to be approved of by the said Common Council) and deposited with the Clerk thereof for safe custody, in the sum of one thousand two hundred and fifty pounds, with a condition to the said Bond, annexed in the words following, to wit:

"Whereas, the above bounden A. B. has lately been appointed to the office of Chamberlain of the said City, by the Common Council thereof:

Now the condition of the preceding obligation is such, that if the said A. B. shall, & does in all things whatsoever, which shall & may in any wise relate to his said office, observe, comply with, & adhere to such laws, orders and directions, which are now in force, or shall from time to time be devised, passed or given, by the said Common Council, respecting the said office of Chamberlain, or respecting the method or form to be observed by the Chamberlain for conducting the business of the said office, and the more orderly stating and keeping just, true, and exact accounts of the receipts and expenditures, and debts and credits of the said Mayor, Aldermen and Commonalty, of the said City, and shall and will from time to time, and at all times during his continuance in office, at least once in every six months, and oftener, if he shall be thereunto required by the said Common Council, render to the said Common Council, true, just, and regular accounts of his receipts and expenditure, and regularly state the same in such proper books as shall be provided or directed for that purpose, by any law passed or to be passed by the said Common Council, and shall and will, within three days after the expiration of the time for which the said A. B. shall hold the said office of Chamberlain; or if the said A. B. should happen to die, during his continuance in office as aforesaid, then, if his Executors or Administrators shall and do, within thirty days after his death, render to the said Common Council, or to such person or persons as shall be appointed for that purpose, by any resolution or order of the said Common Council, a just and true account, fairly entered in the books kept by the said Chamberlain as aforesaid, of all receipts and expenditure of the said A. B. in his office of Chamberlain as aforesaid, and shall well and truly pay, or de-

liver to the said Mayor, Aldermen and Commonalty, or such person or persons as shall be appointed for the purpose of receiving the same by the said Common Council, all such sum or sums of money as shall be in his or their hands, or which he or they shall upon such accounts be in arrear, without any deduction or abatement whatsoever for the services of the said A. B., other than such as shall have been by any law of the said Common Council directed and allowed; and all deeds, conveyances, leases, mortgages, bonds, obligations, assurances, and all other muniments books, papers, goods, chattels and effects, belonging to the said Mayor, Aldermen and Commonalty, and which at any time, during the continuance in office of the said A. B., shall come to his hands or possession, or which in any-wise belong or appertain to the said office of Chamberlain, and also the City Seal, then the preceding obligation to be void; but if default shall be made in the performance of any of the said matters and things in this condition contained, then the said obligation to remain in full force and virtue.

II. That it shall be the duty of the Chamberlain to state all accounts between the said Mayor, Aldermen and Commonalty and every person debtor or creditor of the said Mayor, Aldermen and Commonalty, and to examine and liquidate the claims of all persons against the said Mayor, Aldermen and Commonalty, in cases where provision shall have been made by any Law or Resolution of the said Common Council; and in cases where no provision shall have been made, or when he cannot liquidate any claim without further provision, he shall examine and report the same, and the facts concerning it, to the Common Council, with his opinion thereon; and to examine, adjust and settle, the accounts of all persons indebted to the said Mayor, Aldermen and Commonalty, and to pay all monies directed by any Law or Resolution to any person whatsoever; and to exhibit to the Common Council, as soon as the same can be conveniently done, after his appointment, and on the third Mondays of January and July in each year, or oftener when thereunto required, a complete statement of the funds of the said Mayor, Aldermen and Commonalty, and of the annual revenue thereof, and of the amount of the salaries of their officers, and other contingent expenses and appropriations paid, and of all monies received into the Treasury since the exhibition of his last preceding statement; and from time to time to report any improvements that may be made in the premises, and the most proper and advisable mode of raising such monies as the said Mayor, Aldermen and Commonalty may from time to time have occasion for; and to pay out no monies whatsoever except by the direction of the Common Council, to be certified to him by the Clerk thereof.

III. All Deeds, Conveyances, Leases, Mortgages, Bonds, Obligations and Assurances, for money given or belonging to the said Mayor, Aldermen and Commonalty, and all other instruments of writing (except Patents, Maps, Surveys and Field

books,) relating to any real or personal estate of the said Mayor, Aldermen and Commonalty, shall be deposited and kept in the office of the Chamberlain and all monies which shall from time to time become due to the said Mayor, Aldermen & Commonalty, on the said Leases, Mortgages, Bonds, Obligations and Assurances for money, shall be paid to the Chamberlain, and by him deposited in one of the Banks of the said City.

IV. The Chamberlain shall be and is hereby required, to liquidate from time to time the debts owing by the said Mayor, Aldermen and Commonalty, and annex a just and true account thereof to his aforesaid statement of funds and revenue, distinguishing in such account to whom such debts are owing, whether payable with or without interest, when contracted, on what account, and when payable, and what assurances may have been given for the payment thereof.

V. It shall be the duty of the Chamberlain to call on all persons who may be indebted to the said Mayor, Aldermen and Commonalty, for the payment of the principal and interest of their said debts whenever the same shall fall due; and also to call on all persons entrusted with, or who have received any monies belonging to the said Mayor, Aldermen and Commonalty, and who shall not have accounted for the same, to settle their accounts, and to exhibit to him their vouchers for the expenditure of the said money, and to report from time to time the names of all delinquents to the Common Council, designating in such report the sums due from each delinquent, and the particular circumstances relating thereto.

VI. The Chamberlain shall be, and is hereby required to ascertain from time to time, what real estate the said Mayor, Aldermen and Commonalty are seized of, and entitled to, where situate, whether the same or any, and what part thereof is possessed by any, and what person or persons, and how and when such possessions have been obtained and are held, and what are the evidences of the title of the said Mayor, Aldermen and Commonalty, to such real estate, and to report thereon to the Common Council; and the Chamberlain shall also procure a particular description of the boundaries of the said real estate, and enter the same, together with a copy of his last mentioned report, in a book to be by him provided for that purpose, and kept in his office; he shall also see that a proper survey or map is annexed to all such possessions, and to the deeds or grants by which they are conveyed, and that reference is made to the same in the description of the premises in said deeds or grants.

VII. The Chamberlain in conducting the business of his office shall observe the following rules:—

1. He shall open accounts in the Leger, with every person debtor or creditor to the Mayor, Aldermen and Commonalty, by specialty, or of Common Council, or otherwise.

2. He shall post the Journal of expenditures and receipts, at least once in every quarter of the year, calculating from the time of his appointment.

3. He shall post all interest which shall become due by specialties or otherwise, on debts owing by or due the Mayor, Aldermen and Commonalty, or whenever the interest thereon may become due, and also all payments on the same, whenever they shall be made.

4. He shall prepare or engross, or cause to be prepared or engrossed all Deeds, Leases, Bonds, Covenants, Contracts or Agreements, hereafter to be entered into, or to be executed by the Mayor, Aldermen and Commonalty.

5. Where payments are made by the said Chamberlain, by virtue of any law or resolution of the Common Council, the certificate of the Clerk, together with the receipt, specifying the sum so paid, shall be considered as his voucher.

VIII. The Chamberlain shall attend the stated meetings of the Common Council, and his office shall be kept open from ten o'clock in the forenoon to three o'clock in the afternoon every day in the week, Sunday excepted.

IX. All fines, forfeitures and penalties, enacted by any law of the Common Council, shall be sued for in the name of the Chamberlain, to and for the use of the Mayor, Aldermen and Commonalty of said City.

Common Council Chamber,
Toronto, May 30th, 1834.

WM. L. MACKENZIE, *Mayor.*

AN ACT

FOR THE PREVENTING AND EXTINGUISHING OF FIRES.

[Passed May 10th, 1834.]

BE it enacted by the Mayor, Aldermen and Commonalty of the City of Toronto, in Common Council assembled—

1. That all stove-pipes which may be carried thro' any partition of wood, or of wood and lime, or thro' any floor, in any house or building, shall in every case pass through stove-pipe stones, or bricks, and shall be kept at least three inches from any part of the wood of the partition, or floor, and at least eight inches from the beam or ceiling of any room through

which the said stove-pipes may be conveyed, and they shall also be safely and properly secured to the beams or ceiling with wire, chain, or iron hoop, under a penalty of twenty shillings.

2. Every stove used in any house, or building, within the city, shall be placed not less than 12 inches from any wooden partition, and every stove so used, shall be furnished with an ash-pan of suitable size, constructed of some metal to be placed in front of the door of such stove, and at least four inches removed from the floor of the room in which it may be erected, under a penalty of five shillings.

3. All pipe-holes in any chimney in any house or building, and not being in use, shall be kept closed with a tin or sheet-iron stopper, under a penalty of five shillings.

4. No person shall carry through any square, street or lane of the city, or through any yard any lighted coals, or wood, unless in a covered vessel, made of iron or other safe material, under a penalty of five shillings.

5. Every occupant of any house or building within the city, in which a fire is kept, is required to provide for all ashes removed from stoves and fire-places, a safe receptacle to be made of materials not subject to take fire, and any such occupant depositing, keeping or suffering to be deposited or kept, any ashes, in any box, barrel, cask, or any other thing consisting of materials subject to take fire in such tenement or in the premises occupied therewith, shall for each and every offence, forfeit and pay the sum of ten shillings.

6. Any person requiring to burn any hay, straw, chips, shavings, or other combustible materials, shall do so on a damp day, when there is no wind, and all

such fires shall be completely extinguished before seven o'clock in the morning, from the first day of May; to the last day of October, and before nine o'clock in the morning from the first day of November, to the end of April, and the ashes, or rubbish, shall be removed without delay by the direction of the owner or occupier of the house or workshop, from which the same may have been taken, provided however, that nothing contained in this clause, shall be construed so as to interfere with the necessary fires required by any mechanic, except such as are prohibited in this act.

7. Any person carrying or keeping, or suffering to be carried or kept, any lighted candle or lamp, in any livery or other stable in the said city, unless the same shall be so kept or carried inclosed in a lantern so construed as to emit the light and prevent its communicating fire to any combustible materials in such stable, shall forfeit and pay a penalty of five shillings.

8. Any person who shall smoke or have in his or her possession any lighted pipe or cigar in any work shop, wherein are combustible materials, or in any stable or barn, shall forfeit and pay for each and every offence the sum of five shillings, to be recovered of the person so offending.

9. Every store, dwelling house, or building of two or more stories high which may be erected in the said city, after the passing of this act, shall have a scuttle on the roof, and a suitable stair-way or ladder leading to the same from the inside, so as to afford a convenient access to the roof thereof in case of fire; and any person building or constructing such a dwelling house, store or other building without having such a scuttle as aforesaid, shall forfeit and pay the sum of ten shillings, and the further sum of five shillings for

every ten days the said offence shall thereafter continue to exist.

10. Every dwelling house, manufactory or workshop having a chimney or chimnies, shall be furnished with ladders, reaching from the ground three feet above the eaves of the building, and from the caves to the ridge of the roof under a penalty of ten shillings payable by the owner of the building.

11. It shall not be lawful for any person to fire or set off any gunpowder, squib, rocket or other fire works, or to fire any fire arms in any part of the city, and any person offending in the premises shall forfeit and pay the sum of ten shillings for each offence.

FIRE INSPECTORS.

12. The Common Council shall annually appoint one or more fire Inspectors; whose Duties shall be to examine carefully, at least once in every month, every House, Store or Building, and to ascertain and note any violations of any of the preceding Sections, and to report the same to the Mayor, or any of the Aldermen.

SWEEPING CHIMNIES.

13. Every Chimney, or Flue in which a Fire is commonly made shall from the first day of November, to the first day of April in every year, be swept under the direction of the fire Inspector, at least once in every six weeks; and when the same is used daily, as in kitchens, once in every six weeks throughout the year in the same manner for which duty the Inspector as aforesaid shall be entitled to demand and receive from the tenant occupant of the house the sum of six pence for each chimney or flue, so swept as aforesaid, and every person refusing, or neglecting to comply with this Regulation, shall forfeit and pay on conviction thereof, the sum of 5s.

Provided nevertheless, that no person being the occupant or tenant of any house in which there may be a flue, or chimney, shall be compelled to have such flue or chimney swept at the end of six weeks, if he or she shall pay or offer to pay three pence to the inspector; and if any such flue or chimney shall take fire within the then next ensuing six weeks after the inspector shall have offered to sweep it, the occupant or tenant of the house in which such flue or chimney shall take fire, on conviction shall forfeit and pay the sum of forty shillings, and if a chimney or flue regularly swept each six weeks shall take fire within the said term of six weeks after the fire inspector shall have swept the same he shall on conviction thereof forfeit and pay the sum of twenty-five shillings.

EXTINGUISHING OF FIRE.—FIRE WARDENS.

14. There shall be appointed, by the Common Council of the City of Toronto, every year, twenty-five discreet and active persons to be fire wardens, (that is to say) five in each ward, who, in cases of fire shall be authorized to inforce with the help of the constables, and other peace officers, the aid and assistance of all the male inhabitants of the City, between the years of sixteen and sixty; and to preserve, as far as possible, order, regularity and dispatch, in the lines for the supply of water, and to appoint and establish guards, for the preservation of furniture and other effects, from injury and pillage: each of the said wardens shall, to prevent any one pleading ignorance of his station, have in his hand a batoon or short staff with the words "Fire Warden" painted thereon, and every person so subject to be called upon, who shall refuse, or neglect to obey the directions of the said fire wardens, shall, upon conviction thereof, forfeit and pay the sum of ten shillings.

FIRE COMPANIES.

15. The different Engine and Hook and Ladder Fire Companies, shall be under the control and direction of a Captain, first and second Lieutenant, Secretary and Treasurer; and upon every alarm of fire, they shall immediately repair thereto, with the Engines and other implements, under their care, and there work and manage the same, in the most effectual manner, until the fire shall be extinguished.

16. The Captains, or persons having charge of Engines, or other fire apparatus, shall have the same kept in the best order for immediate use, and have the engines washed, cleansed, and oiled, for which purpose a person will be appointed from time to time by the officers of the said fire companies, who will receive for such services, out of the funds of the city, the sum of twenty-five pounds annually, to be paid in quarterly payments, by the Chamberlain of the said City, upon the before mentioned person producing a certificate, signed by the Captain or Captains of the said Fire Engine Company or Companies.

17. For the good government of the said Fire Companies, the fire-men shall have power to frame such by-laws as they may think prudent and proper, provided such laws are not repugnant to the general laws of the city and the province.

18. The said fire companies shall consist, of as many fire-men as the Common Council shall think fit.

19. The Common Council shall direct their clerk to grant to each member of each corps or Company, a certificate, that he is enrolled in the same, which certificate shall exempt the individual named therein, during the period of his enrolment, and his continuance on actual duty as such fire-man, from militia duty in time of peace, from serving as a juryman or con-

stable and from all other parish or city offices; any law, custom, or usage to the contrary notwithstanding.

CITIZENS AND INHABITANT.

20. It shall be lawful for the captain or officers in command of any fire-engine, or apparatus, or for any member of the Common Council or fire-warden to require the aid of any citizen or inhabitant in drawing any such engine or apparatus to the fire, or to any place near or about the said fire, and on neglect or refusal to comply with such requisition, the offender shall forfeit the sum of five shillings; and, at all fires, the members of the Common Council shall wear a white sash, to pass over the right shoulder and under the left arm.

21. Any person who may repair to a fire shall be obedient to the orders of the members of the Common Council, the fire-wardens, and the officers of the several fire companies, in the extinguishment of the fire, and in the removal of property; and in case any person shall refuse to obey such orders, he shall forfeit the sum of five shillings.

HIGH BAILIFF.

22. It shall be the duty of the High Bailiff, or his deputy, as soon as possible after any fire, to report to the sitting magistrate, any person or persons who may have been imprisoned for offences committed thereat.

SUPPLY OF WATER.

23. Every licensed carter in the city shall at all times provide himself with a good and sufficient puncheon for the purpose of conveying water to fires; and on the alarm of fire being given, he shall forhwith procure and proceed with a puncheon of water to the place of fire, and shall continue actively to provide water under the direction of and until discharged by

the officers in command of the engines, under a penalty of twenty shillings.

26. To insure the utmost promptitude in furnishing water at fires, the following premiums shall be awarded to licensed carters or others, viz:

For the first puncheon of water brought to the fire and furnished to any of the engines the sum of.....	£1	5	0
For the second,.....	0	15	0
For the third,.....	0	10	0
For the fourth,.....	0	5	0
And for each puncheon afterwards furnish'd	0	1	0

But no carter shall be entitled to any premium whose puncheon is not at least three fourths full when delivered to the Engine.

Common Council Chamber,
Saturday May 10th, 1834.

WM. L. MACKENZIE, *Mayor.*

AN ACT

For regulating, paving, cleansing and repairing the Streets and Roads, and for constructing Common Sewers.

[Passed 19th June, 1834.]

BE it therefore enacted by the Mayor, Aldermen and Commonalty of the City of Toronto, in Common Council Assembled.

§1. There shall be appointed by the Common Council, a discreet and proper person to superintend and direct the Street Surveyor's Department, who shall be known and called the Street Surveyor.

§2. The said Street Surveyor shall, before entering upon the duties of his office, take and subscribe an oath or affirmation, well and faithfully to perform the duties of his said office.

§3. The said Street Surveyor shall before entering upon the execution of his office, give bond with sufficient sureties to be approved by the Common Council, in the penal sum of five hundred pounds, conditioned for the faithful performance of the duties of his office.

§4. The said Street Surveyor shall be the overseer of the roads or highways in the City and Liberties of Toronto, and it shall be his duty to regulate and keep the same in repair.

§5. It shall be the duty of the said Street Surveyor to advertise for estimates, and to contract for wells, pumps and sewers, paving and repairing streets, for the construction of roads, for the building and repairing wharves and piers, and in all cases where expenditures connected with the Street Surveyor's Department are authorised by the Common Council, except cases requiring slight repairs.

§6. It shall be the duty of the said Street Surveyor, to submit all estimates received by him, to the Common Council previous to closing any contracts.

§7. It shall be the duty of the said Street Surveyor to enquire into the subject matter of all applications to the Common Council, in relation to regulating, paving or otherwise improving the streets, roads or wharves in the City of Toronto, and to report to the Common Council the particular state of the circumstances of each case, and if necessary a survey or plan of the improvements thereby intended.

§8. It shall be the duty of the said Street Surveyor to attend to the due execution of all the ordinances of the Common Council for the regulating, digging, filling, paving or repairing streets, roads, wharves or common sewers, and to report to the Clerk of the Common Council all offenders against any or either of the provisions of this Act.

§9. It shall be the duty of the said Street Surveyor to take a general charge of viewing and determining from time to time, whether any and what improvement or repairs are necessary and can be made to any of the streets or roads in the City of Toronto, and to report to the Common Council, together with the best mode of doing the same.

§10. It shall be the duty of the said Street Surveyor to attend to and direct the execution of such matters and things as are particularly committed to the Aldermen or Councilmen of the respective wards regarding streets and walks, to order the removal of all timber, goods and other things with which any of the streets, wharves or piers may be encumbered, under the like penalties as if directed by the Aldermen or Councilmen of the Ward.

§11. It shall be the duty of the said Street Surveyor to attend to the surveying of Lots about to be built upon and to present and report to the Clerk of the Common Council, all encroachments on the streets or roads in the City of Toronto.

§12. Any citizen or number of citizens shall be allowed to pave the street opposite to his or their property, where the same shall extend from the intersection of another, provided the same be done in conformity to the regulations of the Common Council.

§13. In all streets in the City of Toronto of the width of forty feet and upwards, which are paved, or shall hereafter be paved or

repaved each of the side walks or foot walks between the lines of the streets and kennels shall be of the following width, that is to say:

1—In all streets forty feet wide—seven feet.
2—In all streets fifty feet wide—eight feet.
3—In all streets sixty feet wide—eleven feet.
4—In all streets seventy feet wide—eleven feet.
5—In all streets eighty feet wide—twelve feet.
6—In all streets above eighty feet wide and not exceeding one hundred feet—fifteen feet.
7—In all streets of more than one hundred feet—twenty feet and no more.

§14. In all streets less than forty feet in width such proportion thereof as may be directed by the Street Surveyor shall be used and flagged for side walks or foot paths.

§15. No street the width whereof is less than sixty feet shall hereafter be accepted by the Common Council as a public street or highway.

§16. The Road Committee shall examine the state of the roads, streets, avenues and highways at least once in every month, and give the Street Surveyor any and such information as they may think necessary and proper, relative to the regulating and keeping the same in repair.

§17. No person shall obstruct the walks laid across the public streets or at the head of the public slips in the City of Toronto by placing or stopping his horse-cart or other carriage upon or across any of the side walks, or by placing or putting or other obstruction or things across or on the same, under the penalty of ten shillings.

§18. No person or persons of the City of Toronto, whether agent, owner or employer shall suffer or permit any cask, bale, bundle, box, crate, or any other goods, wares or merchandize or any boards, planks, joists or other timber, or any thing whatever to be raised from any streets on the outside of any building into any loft, store or room, or to be lowered from the same on the outside of any building by means of any rope, pulley, tackle or windlass, under the penalty of two pounds ten shillings, to be recovered by an action of debt from such persons, agent, owner or employer.

§19. No person shall make or construct or cause or permit or procure to be made or constructed any drain or sewer from any cellar, yard or other place leading into any of the common sewers of the City of Toronto, without the written permission of the Street Surveyor, under the penalty of two pounds ten shillings.

§20. All drains leading into any of the common sewers in the City shall be made of brick or stone, with an iron or copper grate across the outlet of such drain or sewer at its junction with the common or main sewer, the bars of which shall not be more than half an inch apart and made in such other manner as the Street Surveyor shall direct, under the penalty of two pounds ten shil-

lings, for each offence, and the owner or occupant of any premises from which such drain shall lead shall forfeit and pay the further penalty of ten shillings, for each day such drain or sewer shall remain after notice from the Street Surveyor, to such owner or occupant to remove the same.

§21. No person shall construct or make use of any drain, or sewer leading into any of the public common sewers in the City of Toronto, for the purpose of carrying off the contents of any privy or water closet; nor shall communications from Distilleries using grain, whether ground or otherwise, in the process of distillation, be in any case permitted to communicate with the public sewers, under the penalty of 20s. for each offence, and 5s. for each day such communication is permitted to continue.

§22. A just and reasonable compensation for the use of any sink or drain shall be paid by any person who shall be authorised to use the same.

§23. It shall be the duty of the Chamberlain every Saturday evening to pay the wages of each labourer or overseer employed in any day work on the road by the Corporation. Each labourer shall bring to the Chamberlain a ticket showing the work he has done during the week, signed by the overseer, which ticket shall not be transferrable.

§24. No person shall erect any awnings made of cloth in any street in this City unless the same shall be at least seven feet elevation from the side walk, nor shall any one be permitted to erect them of wood: and if any person shall erect any awning contrary hereto he shall forfeit the sum of ten shillings, and for every day he shall continue the same after notice to have the same taken down, he shall forfeit the sum of two shillings and sixpence.

§25. Every Inhabitant, or possessor, of any House, or other building, or the owner or possessor of any Lot or Lots of ground, fronting any Street or Lane, shall at his own proper charge and expence, or at the expence of the person whose tenant he is well and sufficiently keep and maintain in good repair, the side walk in front of his House or Lot, at such times and in such manner as shall from time to time be directed by the Street Surveyor under the direction of the Common Council, the Mayor, or any Alderman of the ward in which such Inhabitant shall reside; and if any such Inhabitant, owner or possessor, shall refuse, neglect, or delay to keep and maintain in good repair, the side-walk contrary to such direction as aforesaid, he shall for every such offence forfeit the sum of two pounds ten shillings.

§26 Any person who shall injure or tear up any pavement, or side-walk, or any part thereof without due authority, or who shall hinder or obstruct the making or repairing any pavement, or side-walk which is, or may be making or repairing, under any Law or Resolution of the Common Council, or who shall hinder or obstruct any person employed by the Common Council, or by the Street Surveyor, or persons employed by him in making or repairing

such pavement or side-walk shall for every such offence forfeit the sum of £2 10.

§27. Whenever application shall be made by petition, or otherwise to the Common Council, for the purpose of making an estimate and assessment for the pitching, paving, altering, or mending any street, or for the making or laying out of any drain or common sewer, or for the raising, reducing, or levelling, or fencing in any vacant Lot or Lots, adjoining each other, or whenever any resolution shall be offered in said Common Council for bringing in a law for either of the above purposes, it shall be the duty of the Clerk of the Common Council to cause public notice to be given daily for five days in one or more of the Newspapers printed in this City, of such application, or resolution, and any objections to the same must be reduced to writing and returned to the said Clerk of the Common Council, previous to the expiration of such notice; and in no case shall a street, lane, or alley be paved until a good and sufficient drain or common sewer shall be laid through the same.

§28. Whenever the Street Surveyor shall have completed any estimate or assessment, directed by law for any of the purposes mentioned in the preceding section, he shall give notice daily for two weeks in one or more of the newspapers printed in this City, of such estimate and assessment having been completed, and that the same is open for inspection at his office, and at the expiration of such notices, he shall return such estimate and assessment to the Common Council for their consideration.

§29. The following form of an ordinance shall be sufficient in cases where assessments are necessary to be made—to wit:

A law for pitching and paving street [or so much of street as extends from to] [or for making a drain or common sewer]. The Mayor, Aldermen and Commonalty of the City of Toronto in Common Council Assembled, do ordain,—that the Street Surveyor make and return an estimate or assessment—according to law, of the expense of pitching and paving street [or so much of, &c., or as the case may be] among the owners and occupants of the houses and lots to be benefited thereby in proportion as nearly as may be, to the advantages which may be deemed to accrue to each; and that such street, [or such part of the said street or drain, &c or as the case may be,] and is hereby directed to be pitched and paved [or laid, &c.] shall be completed by the day of under the direction of the said Street Surveyor, who shall take the oath, and in all things execute the trust reposed in him according to law.

§30. It shall be the duty of the Street Surveyor, to employ cartmen to remove all the manure, rubbish and dirt from the streets, wharves and piers in the City of Toronto, and to report to the Clerk of the Council, all infractions of the laws and ordinances of the City, relating to the sweeping and cleansing of streets, wharves, and piers, and removing garbage and ashes.

§31. It shall be the duty of the Street Surveyor, to superint and direct the several Street Inspectors in their duties of ca the streets to be swept and cleansed, and the dirt and garbe rubbish and ashes to be removed.

§32. It shall be the duty of the Street Surveyor, from the 1 day of May to the 1st day of November, in every year, to cau a cart to pass once in every day except Sundays, through all t streets in the City; and the drivers of such carts shall give n tice of their approach, by ringing a hand-bell, and shall receiv all vegetables, ashes, offals, or garbage which shall be delivere at such carts, under a penalty of 25s. for every neglect or re fusal.

§33. It shall be the duty of every owner or occupant of a hou or shop within the City of Toronto, to water and sweep the pav ment or side-walk in front of his dwelling or store, before eig in the morning, from the first day of May, to the first day of Oc tober, and before nine during the rest of the year, the penalty fo each neglect of this regulation, shall be 5s.

§34. The owner or occupant or the person having charge each inhabited house or other building in the City of Toronto shall within the first four hours after every fall of snow, or ha or rain which shall freeze on the side walks, and in the gutter cause the same to be removed entirely off the side-walks and t the breadth of one foot out of the gutter opposite each house o building, under the penalty of 5s. for each such neglect, to b paid by the said owner, occupant or person having charge sev erally and respectively.

§35. In case the ice or snow shall be so congealed, that it can not be removed without injury to the side-walks or pavement, th owner, occupant, or person having charge of any building, a aforesaid, shall, within the first four hours after every fall there of, cause the side-walks opposite his, her, or their premises, t be strewed with ashes or sand, under a penalty of 5s. to be paid by the owner or occupant, or person having charge thereof sever ally and respectively.

§36. In case the owner, occupant, or person having charge o any House, Lot, building, or land shall neglect to comply wit any of the provisions of the previous sections of this Act, it shal be the duty of the Street Inspector of the Ward in which such premises are situate to cause the same to be done.

Common Council Chamber, June 19. 1834.

WM. L. MACKENZIE, Mayor.